

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW HAMPSHIRE**

GRACE NEW ENGLAND; and

PASTOR HOWARD KALOOGIAN,

*Plaintiffs,*

v.

TOWN OF WEARE, NEW HAMPSHIRE;

TONY SAWYER, in his individual and  
official capacities; and

CRAIG FRANCISCO, in his individual and  
official capacities,

*Defendants.*

Civil Action No. 1:24-cv-00041-AJ

**DECLARATION OF CONNOR R.  
BREWER IN SUPPORT OF  
PLAINTIFFS' MOTION FOR  
SUMMARY JUDGMENT**

I, Connor R. Brewer, declare and state as follows:

1. I am an attorney at King & Spalding LLP and counsel for Plaintiffs Grace New England and Pastor Howard Kaloogian. I am over the age of 18 and am capable of making this declaration pursuant to 28 U.S.C. § 1746. I have personal knowledge of all of the contents of this declaration.

2. Attached hereto as Exhibit 1 is a true and correct copy of excerpts from Howard Kaloogian's January 24, 2025 deposition.

3. Attached hereto as Exhibit 2 is a true and correct copy of excerpts from Tony Sawyer's January 28, 2025 deposition.

4. Attached hereto as Exhibit 3 is a true and correct copy of excerpts from the Town of Weare 30(b)(6) representative's, Naomi Bolton, January 29, 2025 deposition.

5. Attached hereto as Exhibit 4 is a true and correct copy of the Town of Weare Planning Board Application For Conceptual or Design Review.

6. Attached hereto as Exhibit 5 is a true and correct copy of Howard Kaloogian and Grace New England's August 23, 2023 letter to Craig Francisco.

7. Attached hereto as Exhibit 6 is a true and correct copy of the Town of Weare's September 30, 2023 letter to Howard Kaloogian.

8. Attached hereto as Exhibit 7 is a true and correct copy of the Town of Weare's, through Tony Sawyer, October 23, 2023 Cease and Desist notice to Howard Kaloogian and Grace New England.

9. Attached hereto as Exhibit 8 is a true and correct copy of Plaintiffs' counsels' October 27, 2023 letter to Tony Sawyer.

10. Attached hereto as Exhibit 9 is a true and correct copy of excerpts from Jack Shephard's January 20, 2025 deposition.

11. Attached hereto as Exhibit 10 is a true and correct copy of an email from Jack Shephard to the State Fire Marshall on March 4, 2024, Bates stamped Defs. 0277-78.

12. Attached hereto as Exhibit 11 is a true and correct copy of Plaintiffs' August 21, 2024 written waiver request to Defendants.

13. Attached hereto as Exhibit 12 is a true and correct copy of the Town's September 30, 2024 letter to Plaintiffs.

14. Attached hereto as Exhibit 13 is a true and correct copy of the Town of Weare Zoning Board of Adjustment's December 4, 2024 Notice of Decision.

15. Attached hereto as Exhibit 14 is a true and correct copy of New Hampshire House Bill No. 1021, New Hampshire Second Year of the One Hundred Sixty-Seventh Session of the General Court, signed into law July 1, 2022.

16. Attached hereto as Exhibit 15 is a true and correct copy of New Hampshire House Bill No. 1021, as introduced in the New Hampshire 2022 Session.

17. Attached hereto as Exhibit 16 is a true and correct copy of excerpts from Craig Francisco's January 29, 2025 deposition.

18. Attached hereto as Exhibit 17 is a true and correct copy of the Town of Stratham, New Hampshire, 2023 Zoning Amendments with Corrections document.

19. Attached hereto as Exhibit 18 is a true and correct copy of excerpts of the Town of Stratham, New Hampshire's Zoning Ordinance, last amended March 2024.

20. Attached hereto as Exhibit 19 is a true and correct copy of the New Hampshire Municipal Association's and the New Hampshire Office of Planning and Development's Joint Advisory – Changes to Planning & Zoning Laws in 2022: A Guide for Municipalities (July 2022).

21. Attached hereto as Exhibit 20 is a true and correct copy of the Town of Fremont, New Hampshire's Affidavit for Religious Land Use and Structures (RSA 674:76).

22. Attached hereto as Exhibit 21 is a true and correct copy of the Town of Weare, New Hampshire's Zoning Ordinance, updated through March 2024.

23. Attached hereto as Exhibit 22 is a true and correct copy of the Town of Weare, New Hampshire's Site Plan Review Regulations, last revised April 2016.

24. Attached hereto as Exhibit 23 is a true and correct copy of the New Hampshire Municipal Association's October 14, 2023 presentation titled "New Hampshire 2023 Land Use Law in Review."

25. I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed on this 28th day of March, 2025.

By:           /s/ Connor R. Brewer            
Connor R. Brewer